

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TRANSFIELD ER CAPE LTD.,

08 Civ. 09064 (NRB)

Plaintiff,

DECLARATION

-against-

INDUSTRIAL CARRIERS INC. and WEAVER
INVESTMENTS INC.,

Defendants.
-----X

I, Garth S. Wolfson, hereby declare as follows:

1. I am a partner with the firm of Mahoney & Keane, LLP, counsel of record for defendant WEAVER INVESTMENTS INC. Based upon my personal knowledge and my review of the file maintained by my office, I am familiar with the proceedings in this case.

2. Herewith attached are true copies of the following:

- Exhibit A: Plaintiff's Complaint;
- Exhibit B: New York Department of State Entity Information for non-party INDUSTRIAL CARRIERS INC.; and
- Exhibit C: Orders in the actions docketed under Case Numbers 08 Civ. 8999 (DC), 08 Civ. 8660 (PAC), and 08 Civ. 8534 (GBD).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 6, 2009
New York, New York

Respectfully submitted,

MAHONEY & KEANE, LLP
Attorneys for Defendant
WEAVER INVESTMENTS INC.

By: _____

Garth S. Wolfson
11 Hanover Square, Tenth Floor
New York, New York 10005
(212) 385-1422